

ORDINANCE NO. 2015-_____

**AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL
AMENDING CHAPTER 3.16 AND PROVIDING A PROGRAM FOR THE
ACQUISITION OF SURPLUS LAPTOPS BY INCOME-QUALIFIED
RESIDENTS**

WHEREAS: the City, on occasion, has laptop computers which are no longer needed for City programs or staff, and which are declared to be surplus; and

WHEREAS: the City has a number of low-income individuals who could benefit from the remainder of the laptop's functional life; and

WHEREAS: the City will take precautions, for laptops acquired by private individuals under this chapter, to ensure that sensitive data is completely removed prior to the transfer; and

WHEREAS: the individuals who qualify for the program will perform community service in exchange for the laptop; and

WHEREAS: the laptops will be provided "as is" and with no guarantee of fitness or merchantability; and

WHEREAS: the Council finds that this is an appropriate disposition of surplus laptops, which would otherwise be auctioned for a nominal return,

BE IT RESOLVED, therefore, by the City Council of the City of South Salt Lake that:

CHAPTER 3.16 of the City of South Salt Lake code is amended, as follows:

Chapter 3.16 - DISPOSAL OF SURPLUS PROPERTY

3.16.010 – Inventory of surplus property.

3.16.020 – Disposal of equipment and supplies – All property except real property and motor vehicles.

3.16.030 – Disposal of motor vehicles.

3.16.040 – Laptop computer exchange.

3.16.050 – Disposal of surplus property which is of a specialized or limited use (specialty property).

3.16.060 – Miscellaneous policies and procedures.

3.16.010 - Inventory of surplus property.

From time to time as necessary, but not less than annually on a date designated by the mayor, each department head shall submit to the mayor or his or her designee a list of all city property which the department head has determined is no longer useful or of benefit to that department or the city.

- A. The mayor, or his or her designee, shall review the list of property submitted by the department head, and then inspect, or cause to be inspected, the listed property to determine whether the property should be sold, transferred to another department, or otherwise disposed of pursuant to this policy. The mayor will then formulate and approve a final list of all surplus property to be disposed or transferred.
 - 1. The final approved list will then be forwarded to all departments for review by the department head to determine whether any items on the final list could be put to further use by that department. Any requests by the department head for listed property will be made as described in this chapter.

3.16.020 - Disposal of equipment and supplies – All property except real property and motor vehicles.

Before equipment and supplies are sold by the city, the department head shall review the mayor's final list of surplus property for equipment and supplies which could as efficiently and effectively be put to further use as new equipment and supplies.

- A. When the department head determines that surplus property could be put to further use by that department, he or she shall notify the mayor in writing within ten days of receipt of the mayor's final approved list of surplus property of which surplus equipment and supplies the department requires, and include an explanation of the reasons for the department's need for such equipment and supplies.
 - 1. Upon receipt from the department heads of a request for equipment and supplies which could be put to further use by that department, the mayor will determine the priority in which specific requests from department heads should be granted, grant such requests as necessary, then have the equipment and supplies requested forwarded to the requesting department.
- B. Any equipment and supplies which cannot be put to further use by a department shall then be sold in the following manner, unless disposed of in accordance with section 3.16.040:
 - 1. All surplus property sold by the city of South Salt Lake shall be sold "as is," with no express or implied warranties, and all sales of surplus property by the city will be final.
 - a. Notice that all property sold by the city will be "as is" and that all sales are final shall be posted in a conspicuous place or in a conspicuous manner.
 - 2. A list of all remaining equipment and supplies will be sent to the city treasurer, who will then determine which equipment and supplies should be sold directly by the city, or through a company providing auction services.

- a. All equipment and supplies to be sold by an auction services company shall then, as directed by the treasurer, be forwarded to the company for immediate sale. The city treasurer shall ensure that the process employed by the auctions services company is open and fair.
- b. All equipment and supplies to be sold directly by the city will then be sold in an open, fair manner, with adequate notice, and an open hearing and sale as determined and directed by the city treasurer. Preference may be given to other government agencies when such need for preference is provided in advance of any sale by the interested government agency.

3.16.030 - Disposal of motor vehicles.

All motor vehicles determined to be surplus will be disposed of pursuant to the manner described above with the following exceptions:

- A. Police Vehicles. All police vehicles will, prior to the time when they are sold either by the city or an auction services company, be stripped of all emergency and other police equipment.
- B. At the time of the sale of motor vehicles a minimum price will be established for each vehicle to be sold below which no bids will be accepted. Bids submitted for motor vehicles in excess of the established minimum price may be accepted.

3.16.040 – Laptop computer exchange.

- A. If laptop computers are declared to be surplus property by the City, they may be transferred to a department for distribution to residents who meet certain qualifications, provided in this section.
- B. Surplus laptop computers may be given to residents under the following circumstances:
 - 1. The individual provides proof that the individual has resided in South Salt Lake City for at least six (6) months;
 - 2. The individual provides evidence that the individual's household income is at or below the poverty guidelines published by the United States Department of Health and Human Services in the year during which the exchange is proposed;
 - 3. The individual has not previously received a laptop computer from the City under this section; and
 - 4. The individual has completed a number of hours of community service in the City associated with the computer being acquired, which hours may not be used for any other purpose, including court-ordered community service.
- C. The individual receiving the laptop computer shall sign a statement accepting the computer "as is" and releasing the City from any further responsibility for the item, with no provision for exchanges or replacements.
- D. The City Council finds that the community service rendered by the individual is adequate compensation for the laptop, and represents an arms-length transaction.

E. Nothing in this section requires the City to allocate laptop computers to this program, regardless of their designation as surplus property.

3.16.050 - Disposal of surplus property which is of a specialized or limited use (specialty property).

Property which has a specialized function, or limited to use by a particular industry or business may be disposed of by the mayor or the mayor's designee as follows:

- A. Together with the department head, industry professionals, or others with the knowledge and ability to designate the value of specialty property, the mayor shall establish a reasonable and fair value for specialty property.
 - 1. Property valued at less than twenty-five thousand dollars (\$25,000.00) may be negotiated and sold directly by the mayor to other governmental entities or businesses.
 - 2. Property valued at more than twenty-five thousand dollars (\$25,000.00) shall be following notice and hearing as described above.

3.16.060 - Miscellaneous policies and procedures.

Trade-In of Surplus Property. The mayor may trade in surplus property when the mayor and the department head determine that new property can be acquired by the city through trading of surplus property at a greater value than selling the same property.

This ordinance will take effect upon execution by the Mayor or after fifteen days from transmission to the office of Mayor if neither approved nor disapproved by the Mayor.

(signatures appear on separate page)

DATED this ____ day of _____, 2015.

BY THE CITY COUNCIL:

Irvin H. Jones, Jr. Council Chair

ATTEST:

Craig D. Burton, City Recorder

City Council Vote as Recorded:

Beverly	_____
Gold	_____
Jones	_____
Rapp	_____
Rutter	_____
Snow	_____
Turner	_____

Transmitted to the Mayor's office on this ____ day of _____, 2015.

Craig D. Burton, City Recorder

MAYOR'S ACTION: _____

Dated this ____ day of _____, 2015.

Cherie Wood, Mayor

ATTEST:

Craig D. Burton, City Recorder